

PSYCH-APPEAL, INC.

Meiram Bendat (Cal. Bar No. 198884)
8560 West Sunset Boulevard, Suite 500
West Hollywood, CA 90069
Tel: (310) 598-3690, x.101
Fax: (888) 975-1957
mbendat@psych-appeal.com

ZUCKERMAN SPAEDER LLP

D. Brian Hufford (admitted *pro hac vice*)
Jason S. Cowart (admitted *pro hac vice*)
485 Madison Avenue, 10th Floor
New York, NY 10022
Tel: (212) 704-9600
Fax: (212) 704-4256
dbhufford@zuckerman.com
jcowart@zuckerman.com

Attorneys for Plaintiffs and the Classes
(Additional Counsel on Signature Page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID AND NATASHA WIT, *et al.*,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH
(operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

Defendant.

Case No. 3:14-CV-02346-JCS
Action Filed: May 21, 2014

**JOINT SUBMISSION REGARDING
APPOINTMENT OF SPECIAL MASTER**

GARY ALEXANDER, *et al.*,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH
(operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

Defendant.

Case No. 3:14-CV-05337-JCS
Action Filed: December 4, 2014

1 The parties jointly make this submission as directed by the Court in its November 3, 2020
2 Remedies Order (ECF No. 491).

3 **A. Plaintiffs' Proposed Special Master Candidates**

4 Plaintiffs propose the following candidates to serve as the Special Master. Their
5 CVs/resumes are attached as Exhibits 1-3:

- 6 • Hon. Faith Hochberg;
- 7 • Bonnie Jonas;
- 8 • Michael Bromwich;

9 **B. UBH's Proposed Special Master Candidates**

10 Defendant proposes the following candidates to serve as the Special Master. Their
11 CVs/resumes are attached as Exhibits 4-6:

- 12 • Jesse Caplan
- 13 • Doug Young
- 14 • Hon. Suzanne H. Segal (Ret.)

15 **C. Proposed Order of Appointment**

16 The parties have exchanged drafts of a proposed Order of Appointment of Special
17 Master, and although they agree on most terms, they disagree on some. Enclosed as Exhibit 7 is
18 Plaintiffs' proposed Order of Appointment. Enclosed as Exhibit 8 is a version of the order
19 showing in redline where UBH disagrees and would make changes to the proposed Order.

20 **D. Schedule for Appointment of Special Master**

21 The parties propose the following schedule upon the Court's notice to the parties of its
22 selection of a Special Master ("Date of Selection"):

- 23 • 7 days after Date of Selection – Selected candidate files affidavit disclosing whether
24 there is any ground for disqualification under 28 U.S.C. § 455.
- 25 • 14 days after Date of Selection – Parties file any objections based on the candidate's
26 affidavit.

1
2 Dated: November 17, 2020

ZUCKERMAN SPAEDER LLP

3 /s/ Caroline E. Reynolds

4 Caroline E. Reynolds (admitted *pro hac vice*)

5 Adam B. Abelson (admitted *pro hac vice*)

6 D. Brian Hufford (admitted *pro hac vice*)

7 Jason S. Cowart (admitted *pro hac vice*)

8 PSYCH-APPEAL, INC.

9 Meiram Bendat (Cal. Bar No. 198884)

10 *Counsel for Plaintiffs and the Classes*

11
12 Dated: November 17, 2020

CROWELL & MORING LLP

13 /s/ Jennifer S. Romano

14 Jennifer S. Romano

15 April N. Ross

16 Andrew Holmer

17 *Counsel for Defendant*

18 *United Behavioral Health*

19
20
21 **FILER'S ATTESTATION**

22 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in
23 the filing of this document has been obtained from the other signatories.

24
25 Dated: November 17, 2020

26 /s/ Caroline E. Reynolds

27 Caroline E. Reynolds